

1655\$



Patent
Attorney's Docket No. 020600-280

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)
Günter SCHMIDT *et al.*) Group Art Unit: 1655
Application No.: 09/341,641) Examiner: A. Chakrabarti
Filed: September 9, 1999) Confirmation No.: Unassigned
For: NUCLEIC ACID SEQUENCING)
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AMENDMENT/REPLY TRANSMITTAL LETTER

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Enclosed is a reply for the above-identified patent application.

- ☒ A Petition for Extension of Time is also enclosed.
- ☐ A Terminal Disclaimer and a check for ☐ \$55.00 (248) ☐ \$110.00 (148) to cover the requisite Government fee are also enclosed.
- ☐ Also enclosed is _____.
- ☒ Small entity status is hereby claimed.
- ☐ Applicant(s) request continued examination under 37 C.F.R. § 1.114 and enclose the ☐ \$370.00 (279) ☐ \$740.00 (179) fee due under 37 C.F.R. § 1.17(e).
- ☐ Applicant(s) previously submitted ___, on ___, for which continued examination is requested.
- ☐ Applicant(s) request suspension of action by the Office until at least ___, which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R. § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.
- ☐ A Request for Entry and Consideration of Submission under 37 C.F.R. § 1.129(a) (146/246) is also enclosed.
- ☒ No additional claim fee is required.

☐ An additional claim fee is required, and is calculated as shown below:

AMENDED CLAIMS					
	NO. OF CLAIMS	HIGHEST NO. OF CLAIMS PREVIOUSLY PAID FOR	EXTRA CLAIMS	RATE	ADDT'L FEE
Total Claims		MINUS =		× \$18.00 (103) =	
Independent Claims		MINUS =		× \$84.00 (102) =	
If Amendment adds multiple dependent claims, add \$280.00 (104)					
Total Amendment Fee					
If small entity status is claimed, subtract 50% of Total Amendment Fee					
TOTAL ADDITIONAL FEE DUE FOR THIS AMENDMENT					

☐ A claim fee in the amount of \$_____ is enclosed.

☐ Charge \$_____ to Deposit Account No. 02-4800.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By:


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Date: June 3, 2002



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REPLY

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In complete response to the Official Action mailed on February 27, 2002, please consider the following remarks. A one-month extension of time has been requested and the corresponding fee paid extending the time period of response until June 27, 2002.

REMARKS

Applicants thank Examiners Chakrabarti and Zitomer for meeting with Applicants' representative on May 28, 2002 to discuss the outstanding Office Action. Specifically, Applicants note with appreciation that the rejection of claims 21-32 over Southern *et al.* (WO 95/04160) in view of Bensimon *et al.* (U.S. Patent No. 5,866,328) and claims 21-25 and 27-32 over Macevicz *et al.* (WO 96/33205) in view of Bensimon *et al.* under 35 U.S.C. § 103 were withdrawn at the interview.